IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 1318 OF 2006

Ram Maruti Madavi. ...Applicant
V/s.
State of Maharashtra. ...Respondent

Shri M.N. Gawankar with Arfan Sait for Applicant.
Shri Y.S. Shinde, APP for the State.

CORAM : V.M. KANADE, J.

DATED : APRIL 7, 2006

P.C. :-

. Heard learned Counsel for the applicant and learned APP for the State.

. The applicant was arrested in connection with an offence registered under Section 302 read with Section 34 of the IPC.

2. It is alleged that deceased Yadav was found lying in a pool of blood in the building when the complainant had gone to see her relative who was residing in the said building.

3. It is an admitted position that the only evidence against the present applicant is that of

recovery of blood stained clothes which was made on 6th May, 2005.

4. Learned Counsel for the applicant has submitted that the other accused was released on bail by this Court by Order dated 14th March, 2006. He submits that the present applicant also is entitled to be released on the ground of parity.

5. I have perused the order dated 14th March, 2006. In my view, the applicant also is entitled to be released on the ground of parity.

6. The applicant be released on bail in the sum of Rs.5000/- with one or two sureties in the like amount. He shall report to Ulhasnagar Police Station twice in a month. The applicant shall not threaten the witnesses or tamper with the evidence.

. The application is disposed of in the above terms.

(V.M. Kanade, J.)